

**UNITED STATES DISTRICT COURTS  
SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION**

**THOMAS BARTLETT WHITAKER,**  
**Petitioner,**

**v.**

**RICK THALER, Director, Texas  
Department of Criminal Justice,  
Correctional Institutions Division,  
Respondent.**

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**CASE NO. 4:10-MC-293**

**AFFIDAVIT OF INDIGENCY**

I, Thomas Bartlett Whitaker, swear that the following is true and correct:

"My name is Thomas Bartlett Whitaker. I am the Petitioner in the above entitled cause of action. In support of my motion to proceed without being required to prepay fees, costs, or give security therefore, I state that because of my poverty I am unable to pay the costs for this case or to give security therefore, and that I believe that I am entitled to relief.

I further swear that I am unable to afford the services of counsel and that the responses which have been made to the questions below relating to my ability to pay costs in this proceeding are true:

I am not presently employed.

I have not worked for wages since my incarceration in the year  
2005.

I have not received within the past 12 months any income from:

- a. Business, profession or from self-employment.
- b. Rent payments, interest, or dividends.
- c. Pensions, annuities, or life insurance policies.
- d. Gifts or inheritances.
- e. Other sources.

**EXHIBIT 'A'**

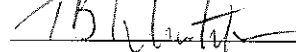
I do not own cash or have money in a checking or savings account other than my prison commissary account which contains 191.16 dollars as of October 1, 2010.

I do not own any stocks or bonds, automobiles, or other valuable property.

No one is dependent upon me for support.

If called as a witness, I would testify to the foregoing in a court of law. I hereby swear, affirm and state that the foregoing is true and correct under penalty of perjury pursuant to Title 18 U.S.C. § 1746."

FURTHER AFFIANT SAYETH NOT.

SIGNED: 

DATED: 10.5.2010